

GARRITY, GRAHAM, FAVETTA & FLINN

A Professional Corporation

One Lackawanna Plaza

P.O. Box 4205

Montclair, NJ 07042

Telephone: 973-509-7500

Attorneys for Plaintiff, Hanover Insurance Company

Our File No. 450.17737/FXG

UNITED STATES DISTRICT COURT

FOR THE STATE OF DELAWARE - MISCELLANEOUS CASE NO. 05-230

|                            |   |                                  |
|----------------------------|---|----------------------------------|
| HANOVER INSURANCE COMPANY, | : | UNITED STATES DISTRICT COURT FOR |
|                            | : | THE DISTRICT OF NEW JERSEY       |
| Plaintiff                  | : |                                  |
|                            | : | Civil Action No. 05-1591 (JWB)   |
| vs.                        | : |                                  |
|                            | : |                                  |
| CANAL INSURANCE COMPANY    | : | SUBPOENA DUCES TECUM             |
|                            | : |                                  |
| Defendant.                 | : |                                  |
|                            | : |                                  |

TO: SHERMAN DUNN

YOU ARE HEREBY COMMANDED to attend and give testimony at the offices of Swartz Campbell, 300 Delaware Avenue, Suite 1130, Wilmington, Delaware, on January 6, 2006, at 11:00 a.m. on the part of plaintiff, Hanover Insurance Company, in the above-entitled action.

You are to bring with you:

1. Any and all registrations, title certificates, evidence of ownership or other documents regarding the ownership of the tractor which had been operated by Sherman Dunn which was at the premises of NCS Enterprises, Millville, New Jersey at the time of Sherman Dunn's accident of October 17, 2003.
2. Any and all registrations, title certificates, evidence of ownership or other documents regarding the ownership of the trailer which had been operated by Sherman Dunn which was at the premises of NCS Enterprises, Millville, New Jersey at the time of Sherman Dunn's accident of October 17, 2003.
3. Any and all registrations, title certificates or other evidences of ownership, as of October 17, 2003, of 1993 International tractor VIN number 1HSRKA5R2PH474937.
4. Any and all registrations, title certificates or other evidences of ownership, as of October 17, 2003, of 1994 Peterbilt tractor VIN number 1XPFD59X4RN344280.

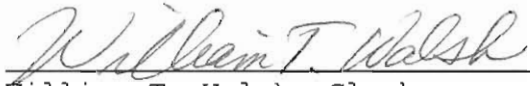
5. Any and all registrations, title certificates or other evidences of ownership, as of October 17, 2003, of 2000 Freightliner tractor VIN number 1FUPFDZB1YLF05754.
6. Any and all registrations, title certificates or other evidences of ownership, as of October 17, 2003, of 1993 Freightliner tractor Vin number 2FUYDXYB4PA416131.
7. Any trip leases pursuant to which Sherman Dunn was to operate motor vehicles for Christiana Motor Freight between , which were in effect on October 17, 2003.
8. Any and all documents terminating any trip leases pursuant to which Sherman Dunn was to operate motor vehicles for Christiana Motor Freight subsequent to October 17, 2003.
9. Any and all 1099 forms furnished to Sherman Dunn by Christiana Motor Freight for the years 2000, 2001, 2002 and 2003.
10. Any W-2 forms furnished by Christiana Motor Freight to Sherman Dunn for the years 2000, 2001, 2002 and 2003.
11. Any and all tax returns for Sherman Dunn for the years 2000, 2001, 2002 and 2003.
12. Any and all registrations, title certificates, other evidence of ownership or other documents relating to the ownership of all vehicles insured under any policies of automobile insurance, truckers insurance or other motor vehicle insurance issued by Canal Insurance Company to Christiana Motor Freight, which policies were in effect on October 17, 2003.
13. Any and all policies of automobile liability insurance, truckers insurance, or any other motor vehicle insurance issued by Canal Insurance Company to Christiana Motor Freight, which policies were in effect on October 17, 2003.
14. Any and all documents setting forth and/or relating to the license plate number for the tractor which had been operated by Sherman Dunn and which was at the premises of NCS Enterprises, Millville, New Jersey on October 17, 2003.
15. Any and all documents reflecting or relating to the license plate number of the trailer attached to the tractor which had been operated by Mr. Dunn and which was being unloaded at the premises of NCS Enterprises in Millville, New Jersey on October 17, 2003.

16. Any and all documents reflecting or relating to the license plate number of 1993 International tractor VIN number 1HSRKA5R2PH474937, 1994 Peterbilt tractor VIN number 1XPFD59X4RN344280, 2000 Freightliner tractor VIN number 1FUPFDZB1YLF05754, and 1993 Freightliner tractor VIN number 2FUYDXYB4PA416131.
17. Any and all documents relating to the license plate number of all tractors insured under all policies of automobile insurance, truckers insurance or other motor vehicle insurance issued by Canal Insurance Company to Christiana Motor Freight which policies were in effect on October 17, 2003.
18. Any and all documents indicating the I.C.C. number of Christiana Motor Freight, Inc. on October 17, 2003.
19. Any and all documents indicating whether Christiana Motor Freight's name, I.C.C. number and/or decal were on the tractor being used by Sherman Dunn on October 17, 2003 at the premises of NCS Enterprises, Millville, NJ.
20. Any and all documents setting forth the exact I.C.C. number, name of Christiana Motor Freight, or other information which was on the tractor being used by Sherman Dunn on October 17, 2003 at the premises of NCS Enterprises, Millville, NJ at the time of Mr. Dunn's accident, including, but not limited to, whether Christiana Motor Freight's name, I.C.C. number and/or other information was on said tractor.
21. Any and all apportioned cab cards for 1993 Freightliner tractor VIN No. 2FUYDXYB4PA416131.
22. Any and all registrations for 1993 Freightliner tractor VIN No. 2FUYDXYB4PA416131.
23. Any and all documents relating to the sale by Sherman Dunn of 1993 Freightliner tractor VIN No. 2FUYDXYB4PA416131.
24. Any and all documents relating to the ownership of 1993 Freightliner tractor VIN No. 2FUYDXYB4PA416131 as of October 17, 2003 or at any other time.

Failure to appear according to the command of this Subpoena will subject you to a penalty, damages in a Civil Suit and punishment for contempt of Court.

Dated: December 19, 2005

  
FRANK R. CINQUINA, ESQ.  
Attorney for Plaintiff, Hanover  
Insurance Company

  
William T. Walsh, Clerk

PROOF OF SERVICE

On \_\_\_\_\_, 2005, I, the undersigned, being over the age of 18, served the within Subpoena by delivering a copy thereof to the person named therein, at \_\_\_\_\_ and by tendering to such person the attendance fee of \$ \_\_\_\_\_ and mileage of \$ \_\_\_\_\_ as allowed by law.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: \_\_\_\_\_

Address for Service: Sherman Dunn  
9 Darwin Road  
Newark, DE